IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 3RD JANUARY 2007 / 13TH AGRAHAYANA,1928

Bail Appl..No. 7582 of 2006()

AGAINST THE ORDER DATED / / IN LP 8/01 IN CC.1472/1998 of ADDL.C.J.M., ERNAKULAM

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: PETITIONER/ACCUSED:

ABY JACOB, S/O. JACOB,
AGED 35 YEARS, KUZHIYANJAL HOUSE, KUSUMAGIRI P.O.
PARAKAMUGAL, KAKKANAD NOW RESIDING AT KUZHIYANJAL
HOUSE, KIZHAKAMBALAM P.O., PATTIMATTOM VILLAGE,
KANAYANNOOR TALUK, ERNAKULAM DISTRICT.

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HON'BLE HIGH COURT OF KERALA AT ERNAKULAM,
REPRESENTED BY SUB INSPECTOR OF POLICE,
CITY TRAFFIC POLICE STATION, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No.7582 of 2006

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Dated this the 3rd day of January, 2007.

ORDER

Petitioner, who is the accused in C.C.No.1472 of 1998 on the file of the Additional Chief Judicial Magistrate, Ernakulam for offences punishable under Sections 279 and 337 I.P.C., seeks anticipatory bail.

2. Admittedly, the case against the petitioner has been transferred to the long pending register where it is registered as L.P.No.8 of 2001. Non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted so as to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the trial court and seek regular bail. Accordingly, if the petitioner surrenders before the Additional Chief Judicial Magistrate, Ernakulam and files an application for regular bail within two weeks from today, the same shall be considered and disposed of on the same date on which it is filed.

With this direction, this application is disposed of.

V.Ramkukmar,
Judge.

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